



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

Via UPS Priority Overnight / Express Mail

David C. Fields, President  
California Asphalt Production, Inc. d/b/a  
Greka Refining Company  
1600 Sinton Road  
Santa Maria, California 93458

Re: Administrative Order under Section 3013 of RCRA  
Greka Refining Company  
Santa Maria, CA  
EPA ID No. CAD008361883

Dear Mr. Fields:

Enclosed please find an Administrative Order (Order) issued pursuant to Section 3013 of the Resource Conservation and Recovery Act (RCRA), as amended, 42 U.S.C. § 6934. As this Order indicates, the United States Environmental Protection Agency, Region IX (EPA) has determined that the presence of hazardous wastes at the Greka Refining Company ("Greka" or "Facility"), located in Santa Maria, CA, may present a substantial hazard to human health or the environment.

The Order requires Greka to prepare a written proposal to carry out monitoring, testing, analysis, and reporting to determine the nature and extent of such hazard. The proposal must be submitted to EPA within thirty (30) days of the date on which the Order was issued. Once the proposal has been approved by EPA, it must be implemented either as approved or as approved with modifications by EPA. Section T of the Order sets forth the procedures to request a compliance conference with EPA. If you wish to request a compliance conference, you must notify us within three (3) days of your receipt of this letter. You may also confer with EPA concerning the proposal. The scheduling of such a conference with the Agency, however, may not be used to extend the thirty (30) day submission deadline.

A copy of the RCRA CEI report is enclosed for your information and response. The report identifies potential violations of RCRA and California's authorized hazardous waste management requirements. Please note that omissions in the RCRA CEI report shall not be construed as a determination of compliance with any other applicable regulation.

### **Confidential Business Information**

EPA regulations governing the confidentiality of business information are set forth in 40 CFR Part 2, Subpart B. EPA routinely provides copies of inspection reports to state agencies, and upon request, to the public. Such releases are handled according to the Freedom of Information Act regulations (40 CFR Part 2). If Greka believes the enclosed RCRA CEI report contains information entitled to treatment as confidential business information, please assert a confidentiality claim in accordance with 40 C.F.R. § 2.203(b) within fourteen (14) calendar days from the date of receipt of this letter. Business confidentiality includes the concept of trade secrecy and other related concepts. Your claim must specifically identify the information covered by the claim and should be sent to EPA by certified mail. EPA will construe the failure to furnish a confidentiality claim within fourteen (14) calendar days from the date of Greka's receipt of this letter as a waiver of that claim and information may be made available to the public by the EPA without further notice. See 40 CFR § 2.203(a)(2).


Additionally, if Greka believes that any information in your response is entitled to treatment as confidential business information, please identify any such information and assert a confidentiality claim in accordance with 40 CFR § 2.203(b) in your response. EPA will construe the failure to make a confidentiality claim when the response is submitted to EPA as a waiver of that claim and information may be made available to the public by the EPA without further notice.

If EPA determines that any information over which Greka asserts a claim meets the criteria set forth in 40 CFR § 2.208, the information will be disclosed only to the extent, and by means of the procedures specified in 40 CFR Part 2, Subpart B.

By copy of this letter, EPA is providing California with notice of the referenced violations of RCRA Subtitle C and any non-RCRA state violations.

This Order will become effective ten (10) days after it is signed by EPA. If you have any legal inquiries or wish to schedule a conference with EPA on this matter, please contact Rebecca Sugerman at (415) 972-3893. Any technical questions you may have should be directed to Rick Sakow, RCRA Enforcement Officer, at (415) 972-3495.

Sincerely yours,

 2/19/2019  
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Amy C. Miller  
Acting Director, Enforcement Division  
U.S. Environmental Protection Agency, Region 9

Enclosures

cc: Lo Saechao, Capitol Corporate Services, Inc. (Enclosure: w/o CEI report)